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iSMART INTERNATIONAL LIMITED and
Counterdefendant RAJ DHESIKAN

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ISMART INTERNATIONAL LIMITED, an India
Corporation,

Plaintiff,

vs.

I-DOCSECURE, LLC, a California Limited
Liability Company; E-NETSECURE SERVICES,
INC., a California Corporation; INTEGRITY
DATA APPLICATIONS CONSULTING, LLC, a
California Limited Liability Company; JOSEPH
BAGGIO, an individual; and JONATHAN
BALZORA, an individual,

E-FILED - 3/16/06

Case No.: C 04-03114 RMW

**STIPULATION AND PROPOSED ORDER
RE DISCOVERY AND MEDIATION CASE
MANAGEMENT SCHEDULE; DISMISSAL
OF CROSS-DEFENDANTS SANJAY
DESHPANDE AND VIJAY CHOUDHARY**

Defendants.

AND RELATED COUNTERCLAIM

IT IS HEREBY STIPULATED, by and between the parties hereto through their respective undersigned counsel:

WHEREAS, the Court set a trial date and various pre-trial deadlines in its Case Management Conference Order which was signed on April 11, 2005, and amended those deadlines pursuant to Stipulation and Order signed July 27, 2005;

WHEREAS, counter-defendant Raj Dhesikan's first appearance in this lawsuit did not occur until July 5, 2005;

WHEREAS, after several extensions, the parties agreed to a deadline of July 19, 2005 to produce initial disclosures;

WHEREAS, plaintiff and counter-defendant iSmart International served document requests on defendants and counterclaimants with an original production deadline of July 11, 2005;

WHEREAS, plaintiff and counter-defendant iSmart International granted defendants and counterclaimants an extension through July 19, 2005 for the production of documents responsive to iSmart International's document requests;

WHEREAS, on October 5, 2005, the Court granted the application of defendants and counterclaimants to substitute Sullwold & Hughes as their counsel;

WHEREAS, on October 13, 2005, Sedgwick, Detert, Moran & Arnold LLP appeared as counsel of record for plaintiff and counter-defendant;

WHEREAS, Defendant granted Plaintiff an extension of time to respond to Requests for Production of Documents to March 3, 2006;

WHEREAS, the deadline for serving counterdefendants Sanjay Deshpande and Vijay Choudhary was set for January 31, 2006;

WHEREAS, the deadline for completing mediation is set for March 15, 2006;

1 WHEREAS, the deadline for expert witness disclosure is set for April 21, 2006;

2 WHEREAS, the deadline for completing non-expert discovery is May 19, 2006;

3 WHEREAS, the existing Protective Order in this Case does not cover source code, object
4 code, technical manuals, and materials relating to the same or attorneys-eyes only designations of
5 confidential materials;

6 WHEREAS, the parties have been unable to come to an agreed stipulated protective order
7 regarding these issues and, as a result, are preparing discovery motions;

8 WHEREAS, the last day to hear dispositive motions is July 14, 2006;

9 WHEREAS, the deadline to complete expert discovery is set for July 28, 2006;

10 WHEREAS, trial of this matter is to be set for a date November 6, 2006; and

11 WHEREAS, the parties have had extensive discussion and exchanged numerous
12 proposed stipulated protective orders but have been unable to agree to terms without resorting to
13 motions before a Magistrate,

14 WHEREAS, Plaintiff also intends to file a motion to compel discovery,

15 WHEREAS, some of the discovery items in dispute which have not yet been produced
16 will require analysis by expert witnesses;

17 WHEREAS the parties agree that the aforementioned factors provide good cause for
18 modification of certain deadlines set by the Case Management Conference Order;

19 NOW, THEREFORE THE PARTIES THROUGH THEIR COUNSEL HEREBY
20 STIPULATE AND AGREE that, subject to approval of the Court, an Order should issue continuing the
21 dates in the Case Management Conference Order as follows:

- 22 1. The last day to complete mediation shall be continued to May 15, 2006;
- 23 2. The deadline for expert witness disclosure shall be continued to June 16, 2006;
- 24 3. The deadline to complete expert witness discovery shall be continued to August 18,
25 2006;
- 26 4. The deadline for completing non-expert discovery shall be continued to July 28,
27 2006;
- 28 5. The last day to hear dispositive motions is reset for September 15, 2006;

6. As Counterdefendants Vijay Choudhary and Sanjay Deshpande have not been served,
they are hereby DISMISSED with prejudice from this action.

IT IS SO STIPULATED.

DATED: February 28, 2006

ROBERT T. SULLWOLD
JAMES A. HUGHES
SULLWOLD & HUGHES

/s/
JAMES A. HUGHES

Attorneys for Defendants INTEGRITY DATA
APPLICATIONS CONSULTING, LLC and JONATHAN
BALZORA and Defendants and Counterclaimants
I-DOCSECURE, LLC, E-NETSECURE SERVICES, INC.,
ISMART SECURE LLC and JOSEPH BAGGIO

DATED: February 28, 2006

SEDGWICK, DETERT, MORAN & ARNOLD LLP

By: 

MARC A. KOONIN

Attorneys for Plaintiff and Counter-defendant ISMART
INTERNATIONAL LIMITED and Counter-defendant RAJ
DHESIKAN

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 3/14, 2006

/s/ Ronald M. Whyte

Hon. Ronald M. Whyte
United States District Judge